



South Carolina House of Representatives

# Legislative Update

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## **MAJOR ISSUES FROM THE 2015 LEGISLATIVE SESSION**

This report highlights activity of the first regular session of the 121st South Carolina General Assembly. This document summarizes many of the key issues that have passed the General Assembly this year. Summaries are organized according to subject matter, and individual summaries may be included in the document under more than one subject heading. Since this document focuses on key issues, not all provisions of legislation are included in the summaries.

This report is a guide to, not a substitute for, the full text of the legislation summarized. Bill summaries in this document are prepared by staff of the South Carolina House of Representatives and are not the expression of the legislation's sponsor(s) or the House of Representatives. The summaries are strictly for the internal use and benefit of members of the House of Representatives and are not to be construed by a court of law as an expression of legislative intent.

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## 2015 LEGISLATIVE OVERVIEW

In its first regular session, the 121<sup>st</sup> South Carolina General Assembly authorized the **removal of the South Carolina Infantry Battle Flag of the Confederate States of America from the Capitol grounds** in Columbia and the transfer of this banner from its position at the Confederate Soldier Monument in front of the State House to a place of appropriate display in the Confederate Relic Room (S.897).

The General Assembly approved the comprehensive **Domestic Violence Reform Act** (S.3) which includes recommendations of special committees appointed in both the House of Representatives and Senate to focus on the issue. The legislation revises criminal penalties for domestic violence so that they emphasize not only the number of previous incidents but also better address the severity of violence as well as take into account whether certain aggravating circumstances are involved. Under the revisions, enhanced criminal penalties apply if certain egregious elements are present in an incident, such as strangulation, abuse committed in the presence of children, abuse of pregnant women, and violence that is used to prevent someone from summoning emergency assistance or reporting a crime. Penalties are increased for Domestic Violence of a High and Aggravated Nature and all three degrees of Domestic Violence so that these crimes carry higher possible maximum terms of imprisonment. The legislation establishes firearms restrictions in conjunction with domestic violence offenses that include an automatic lifetime prohibition on possessing firearms and ammunition for those convicted of the felony Domestic Violence of a High and Aggravated Nature, an automatic ten year ban for those convicted of the felony First Degree Domestic Violence, and provisions that allow for a ban of up to three years in convictions for the misdemeanor domestic violence offenses. The legislation's bond reform measures include a requirement that, whenever someone is charged with a domestic violence violation, the bond hearing may not proceed without the person's criminal record and incident report or the presence of the arresting officer. The legislation includes provisions that allow victims of domestic violence, sex crimes, and certain other offenses to obtain a permanent restraining order against an offender which a judge puts in place for life so that the order would not need to be periodically revisited and extended. A new statewide multidisciplinary Domestic Violence Advisory Committee is established and charged with decreasing the incidences of domestic violence in South Carolina by undertaking public education efforts, studying domestic violence in the state, assessing the effectiveness of state laws and programs to combat the problem, and advising on policy and practice changes, including the issuance of an annual report. Circuit solicitors are authorized to facilitate the development of community domestic violence coordinating councils that bring together a diverse array of disciplines and backgrounds from the public and private sectors to spearhead local efforts for ensuring that domestic violence survivors and their families have access to needed resources, to promote interdisciplinary and interagency efforts to counter domestic violence, and to increase public awareness and understanding of domestic violence and its consequences. The legislation also requires the subject of domestic violence to be incorporated into the instruction that public school students receive in comprehensive health education in grades six through eight.

The General Assembly approved legislation to enhance South Carolina's ability to combat **human trafficking**. The legislation (S.196) includes human trafficking offenses within the jurisdiction of the state grand jury and establishes new requirements for

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posting National Human Trafficking Resource Center Hotline information that apply to a list of establishments such as adult businesses, massage parlors, hospital emergency rooms, agricultural labor contractors, hotels, motels, airports, train stations, bus stations, rest areas, and truck stops. Lawmakers also adopted Uniform Law Commission recommendations (S.183) for enhancing the prosecution of human traffickers, punishing businesses that aid human trafficking operations, and improving protection and restitution for victims.

Lawmakers approved provisions (S.47) for **equipping law enforcement officers with body-worn cameras** that make audio and video recordings. The legislation requires state and local law enforcement agencies to implement the use of body-worn cameras according to guidelines established by the Law Enforcement Training Council that address such issues as which law enforcement officers must wear cameras, when they must be worn and activated, how recordings should be retained and released, and how consent should be obtained from victims and witnesses for recording their interviews. A Body-Worn Cameras Fund is established within the Department of Public Safety to assist agencies with implementation by addressing costs associated with such matters as the initial purchase of cameras, equipment maintenance and replacement, and data storage for recordings.

The General Assembly approved a **Fiscal Year 2015-2016 state government budget** (H.3701, H.3702, H.4230) that includes \$6.9 billion in recurring general fund revenue, \$266 million in nonrecurring state funds, \$128 million in Capital Reserve Funds, and \$335 million in Education Lottery Funds. The budget devotes \$336 million to the state's infrastructure needs. \$216 million in nonrecurring funds is distributed among the County Transportation Committees to use for resurfacing, reconstructing, and repairing roads and bridges in the state-owned secondary road system. \$50 million in motor vehicle sales tax revenue is transferred from the general fund to the South Carolina Transportation Infrastructure Bank to be utilized to leverage an estimated \$500 million in bonds to finance bridge replacement, resurfacing and rehabilitation projects, and expansion and improvements to existing mainline interstates. \$70 million is devoted to a new interchange on Interstate 26 that will facilitate the construction of Volvo's new motor vehicle manufacturing facility in Berkeley County. \$23.5 million is used to provide a one-time \$800 bonus for the full-time state employees with annual salaries of less than \$100,000 who make up 96% of the state workforce. \$34.4 million is included to cover the increased costs of operating the state's health insurance plan with no increases in the premiums paid by employees and no reductions in coverage. An additional \$27 million is used for early payment of the state's general obligation bond debt which enhances South Carolina's economic development bonding capacity. \$4.5 million is provided to continue the implementation of recommended state government cyber security upgrades. The recurring base of the Local Government Fund is increased by \$12.5 million and an additional \$12.5 million in nonrecurring funds is provided to maintain the fund at its current level of \$212 million. For K-12 public education, \$94 million is used for a \$100 per pupil increase for the base student cost to arrive at an estimated \$2,220. \$10 million is used to fully fund the reading coach initiative. \$1.5 million is included for expansion of intensive summer reading camps for students not yet ready to advance to the next grade. \$15 million is appropriated for instructional materials. Funding for the initiative that allows tax credits for tuition scholarships granted to exceptional needs children is increased to \$12 million. \$12 million is provided to address the growing student population of South Carolina's Public Charter School District. \$30 million is provided for new school buses. South Carolina's public

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universities and colleges are afforded \$9.4 million in new recurring funding and the Capital Reserve Fund is utilized to address various repairs, construction projects, and other capital needs at the state's universities and colleges. The budget includes \$47 million in capital projects, equipment, and other non-recurring items for the state's sixteen technical colleges. The State Board for Technical and Comprehensive Education is afforded \$4 million for manufacturing, healthcare, and Science, Technology, Engineering, and Math (STEM) training. \$2 million is used to expand a dual-credit STEM program that aims to create a seamless transition from education to employment in such high-demand fields as mechatronics, industrial electronics, general engineering, and automotive technology. \$5 million is devoted to workforce scholarships and grants for individuals pursuing career education and certification at the state's technical colleges with priority given to those who do not qualify for other forms of financial aid. \$20 million from the Capital Reserve Fund is provided for an Aeronautical Training Center. \$11 million is provided for the Deal Closing Fund that the Department of Commerce uses to recruit new business to the state. LocateSC is afforded \$6.5 million to increase the state's site development for company relocations. \$250,000 is appropriated to the Office of Innovation for grants to local groups that address the needs of innovation, small business development, and emerging industries in the state. \$750,000 is provided for the Military Base Task Force for grants to communities dealing with uncertain federal military budgeting and potential reductions in SC military bases. The Rural Infrastructure Authority receives \$3.7 million for the Water Quality Revolving Loan Fund that is used to provide low cost financing for major water and sewer improvement projects. \$25 million in capital reserve funds is provided for a new children's hospital at the Medical University of South Carolina. Increased recurring funds are appropriated to the Department of Health and Human Services to cover the state match for the Medicaid program maintenance of effort, increased autism services, and state funds to maintain physician reimbursements rates reduced by the federal "Patient Protection and Affordable Care Act" of 2010. The budget legislation furthers the "Healthy Outcomes Initiative" for improving health in rural communities. \$2 million in recurring funds is provided for telemedicine along with \$10 million that is included in a "Healthy Outcomes Initiative" proviso to further develop the statewide telemedicine infrastructure network through MUSC. The Department of Mental Health is afforded \$14 million which includes the final phase of increased recurring funding to address budget cuts sustained by the agency during the revenue shortfall of recent years as well as the second installment of funding for continuing the process of converting health records to an electronic format that is necessary for meeting federal hospital certification requirements. The Department of Social Services is afforded \$9 million to fully fund its budget request for hiring additional protective services workers to reduce sizeable caseloads and providing a case worker salary increase to address the high turnover rate at the agency. The Department of Agriculture is allocated \$2.5 million to expand the "Certified SC" marketing program and \$500,000 for agribusiness development. The Forestry Commission receives \$500,000 for 8 additional full-time firefighters and \$500,000 in nonrecurring revenue for new, safer firefighting equipment. The State Law Enforcement Division is provided \$950,000 for eight new regional investigative positions, \$390,000 for new alcohol enforcement agents, and \$900,000 from the Capital Reserve Fund for vehicles. The Department of Public Safety is provided \$2 million in recurring funds and \$1 million from the Capital Reserve Fund for law enforcement vehicles. DPS receives \$953,000 for Highway Patrol reclassification. Provisions are made for a new trooper class utilizing other funds derived from a DUI enforcement grant. \$2.4 million in recurring funds and \$1 million in nonrecurring funds is provided to the Public Safety Coordinating Council to begin the purchase of law enforcement officer body cameras

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and fund associated data storage for recordings. The Department of Corrections receives \$3 million in recurring funds and \$1.5 million in nonrecurring funds for its mental health remediation plan, \$927,806 for medical staff, \$449,000 for youthful offender/addictions treatment, and \$909,190 for its education improvement plan/vocational equipment. \$645,500 is provided for two new at-large family court judges and associated staff. \$2.6 million is provided to the Department of Probation, Parole, and Pardon Services for 44 new parole agents. The State Ports Authority is afforded \$1 million for Jasper Ocean Terminal permitting and \$250,000 for dredging at the Port of Georgetown. The Department of Parks, Recreation and Tourism receives \$500,000 in recurring funds for the Undiscovered SC program to showcase the state's rural areas, \$2 million for the Destination-Specific Tourism Marketing Grant Program, \$1 million from the Capital Reserve Fund for renovations at the state's welcome centers, \$1.4 million for the Sports Development Marketing Program, \$5 million in nonrecurring funds for the African-American History Museum, \$1 million in nonrecurring funds for the Medal of Honor Museum, \$1 million from the Capital Reserve Fund for repairs at the State Aquarium, and \$500,000 in recurring funds for the Parks and Recreation Development Fund that provides reimbursable grants for local government recreation projects. The Election Commission receives \$2.2 million for conducting the two U.S. Presidential Preference Primaries that will be held for the 2016 election. The Department of Administration is provided \$516,200 for Emergency Management Communications to support statewide public safety agencies, \$500,000 to enhance the state's Guardian Ad Litem Program, \$75,978 for the Office of Victims' Assistance to be used for physical abuse exams, and \$284,582 for Veterans' Affairs to reduce caseloads. The Lieutenant Governor's Office on Aging receives \$529,827 for the Vulnerable Adult Guardian Ad Litem Program and \$1 million in recurring funds for caregiver services. \$4.1 million in matching funds is provided for local communities to offset Winter Storm Pax cleanup costs.

The General Assembly approved legislation (S.11) **enhancing public notice requirements for government meetings** under the state's Freedom of Information Act. The legislation establishes requirements for public bodies to post an agenda in advance of a meeting and imposes restrictions on adding items to an agenda without providing the public at least twenty-four hours' notice so that interested citizens will have the opportunity to attend.

Named to honor the memory of the late South Carolina Governor and his commitment to fostering civic virtues, the "**James B. Edwards Civics Education Initiative**" (S.437) was approved to require that public high school students take the civics test that the U.S. Citizenship and Immigration Services administers to prospective citizens to demonstrate knowledge and understanding of the fundamentals of American history and the principles and form of the United States government. Students are not required to pass this civics test, but those who do receive at least a passing grade may be recognized by their school districts and student body success rates must be included on schools' report cards.

Lawmakers approved legislation (H.3890) revising the process for **forgiving school days missed because of snow, extreme weather conditions, or other disruptions** that provides new authority for local school district boards of trustees and the State Board of Education to grant waivers from school make-up requirements without obtaining an approval from the General Assembly.

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The “**South Carolina Uniform Military and Overseas Voters Act**” (H.3154) was approved to better facilitate the casting of absentee ballots in elections by deployed military and other overseas voters.

The General Assembly approved legislation (S.153) to provide for the **extension of a property tax exemption to the vehicle of a disabled veteran’s surviving spouse**.

The “**Uniform Deployed Parents Custody and Visitation Act**” (H.3156) was approved to establish protocols to address issues of custodial responsibility that arise when a parent in the uniformed Armed Services is deployed, including provisions for temporary child custody orders and agreements that are put in place during the time of deployment.

The General Assembly approved legislation (H.3548) establishing **notification requirements for child abuse and neglect allegations involving active military families** which direct the Department of Social Services to make reports to designated authorities at military installations.

Legislation (H.3547) was approved to expand the provisions establishing **reemployment rights of South Carolina National Guard and State Guard members** so that they also apply to someone who is employed in South Carolina but has served as a member of another state’s national or state guard and honorably released from that duty.

Lawmakers revised eligibility criteria (S.391) for **in-state higher education tuition rates for veterans and their dependents** to ensure that South Carolinians can continue to take advantage of federal G.I. Bill provisions.

Legislators established (H.3324) a temporary **committee to study state and local level veterans’ issues** and make recommendations for improving the structure, delivery, and coordination of veterans’ services in South Carolina in a report that must be submitted to the General Assembly and the Governor by February 1, 2016.

The General Assembly approved legislation (H.3663) removing the members of S.C. State’s Board of Trustees and establishing an **interim governing authority for South Carolina State University** in order to address the school’s financial crisis and academic accreditation issues and ensure the continuing viability of the institution. Composed of the appointees of key public officials in the executive and legislative branches of state government, the Interim Board of Trustees assumes duties relating to the oversight and control of the institution and is made solely responsible for the selection, periodic evaluation, and retention or termination of the university’s president. The Interim Board serves up to June 30, 2018, or until the General Assembly holds elections for a new South Carolina State University Board of Trustees.

The General Assembly approved legislation (H.3583) **prohibiting state and local government contracting with businesses that impose discriminatory boycotts against South Carolina’s trading partners**, including Israel, that are based upon race, color, religion, gender, or national origin.

The “**Transportation Network Company Act**” (H.3525) was approved to govern the operation of companies, such as Uber, that make use of digital networks and mobile device applications to connect passengers to network drivers for the purpose of providing transportation for compensation. The legislation establishes a permitting



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process for transportation network companies with the Office of Regulatory Staff which, in carrying out its new regulatory duties, is charged with balancing the interest of the state in promoting innovative, safe, and cost-effective transportation services with an appropriate level of safety protections for passengers and the general public.

The “**South Carolina Emergency Management Law Enforcement Act**” (H.3168) was adopted to establish procedures governing out-of-state law enforcement officers who are deployed to this state during declared emergencies or disasters under the provisions of the Emergency Management Assistance Compact that South Carolina has entered into with its fellow states.

The “**Mental Health Court Program Act**” (S.426) was approved to provide circuit solicitors with authority to establish programs that divert qualifying mentally ill offenders away from the criminal justice system and into appropriate treatment programs, thereby reserving prison space for violent criminals and others for whom incarceration is the only reasonable alternative.

Lawmakers approved legislation (S.179) **prohibiting crystalline alcohol along with powdered alcohol** which makes the possession, use, sale, and purchase of these substances misdemeanor criminal offenses.

The General Assembly approved the “**Trespasser Responsibility Act**” (H.3266) to codify common law provisions relating to trespassers under which a possessor of land owes no duty to a trespasser except to refrain from causing a wilful or wanton injury. These limitations on a landowner’s legal liability include certain exceptions and conditions that relate only to trespassers who are children or individuals with an intellectual disability.

Lawmakers approved legislation (S.341) **requiring every hospital and birth center to provide educational information on sickle cell disease** to the parents of each newborn baby who is at high risk for the medical condition.

The “**Take Palmetto Pride in Where You Live Act**” (H.3035) was approved to establish a twelve-member commission within the Department of Natural Resources to serve as the lead agency for coordinating the state’s litter prevention initiatives, litter law enforcement, and clean-up operations by facilitating communication and cooperation among state agencies, local governments, businesses, and the nonprofit sector.

The General Assembly approved legislation (H.3568) establishing a **sales tax exemption for construction materials used in homes for the needy by nonprofit organizations**. The legislation also establishes a **sales tax exemption for clothing donated to needy children** by private charitable organizations.

In order to encourage the voluntary disclosure and payment of taxes owed to the state, legislators provided the Department of Revenue with authority (S.526) to periodically designate and administer a **tax penalty amnesty period** during which the department may waive delinquent tax penalties and interest and not initiate a criminal investigation when delinquent returns are voluntarily filed and payment is made on all taxes owed.

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The General Assembly approved legislation (S.407) **allowing business owners the option of individually exempting themselves from unemployment compensation coverage.**

Lawmakers approved a bill (S.389) revising provisions governing **South Carolina Business Development Corporations** which provide loans for small businesses. The area of operations for a South Carolina Business Development Corporation is expanded so that it can transact business not only in this state, but also in the larger surrounding areas that comprise Federal Reserve Districts Five and Six, spanning primarily the Southeastern United States.

The General Assembly approved **wild turkey hunting** legislation (H.3118) that imposes temporary hunting provisions that apply statewide, charges the Department of Natural Resources with studying the state's wild turkey population, and provides DNR with authority to adopt conservation measures that may be needed to address observed declines in these game birds.

# APPROPRIATIONS FOR FISCAL YEAR 2015-2016

The General Assembly approved H.3701, the General Appropriation Bill, H.4230, the Supplemental Appropriation Bill, and H.3702, the joint resolution making appropriations from the Capital Reserve Fund, which together comprise the Fiscal Year 2015-2016 State Government Budget. The budget includes \$6.9 billion in recurring general fund revenue, \$266 million in nonrecurring state funds, \$128 million in Capital Reserve Funds, and \$335 million in Education Lottery Funds.

The budget devotes \$336 million to the state's infrastructure needs. \$216 million in nonrecurring funds is distributed among the County Transportation Committees to use for resurfacing, reconstructing, and repairing roads and bridges in the state-owned secondary road system. \$50 million in motor vehicle sales tax revenue is transferred from the general fund to the South Carolina Transportation Infrastructure Bank to be utilized to leverage an estimated \$500 million in bonds to finance bridge replacement, resurfacing and rehabilitation projects, and expansion and improvements to existing mainline interstates. \$70 million is devoted to a new interchange on Interstate 26 that will facilitate the construction of Volvo's new motor vehicle manufacturing facility in Berkeley County.

\$23.5 million is used to provide a one-time \$800 bonus for the full-time state employees with annual salaries of less than \$100,000 who make up 96% of the state workforce.

\$34.4 million is included to cover the increased costs of operating the state's health insurance plan with no increases in the premiums paid by employees and no reductions in coverage.

Provisions are included to commission a comprehensive state employee salary study.

An additional \$27 million is used for early payment of the state's general obligation bond debt which enhances South Carolina's economic development bonding capacity.

\$456 million is used to fully fund, at 7% of general fund revenue, the reserve accounts that the state uses to cope with revenue shortfalls.

\$4.5 million is provided to continue the implementation of recommended state government cyber security upgrades.

The recurring base of the Local Government Fund is increased by \$12.5 million and an additional \$12.5 million in nonrecurring funds is provided to maintain the fund at its current level of \$212 million.

For K-12 public education, \$94 million is used for a \$100 per pupil increase for the base student cost to arrive at an estimated \$2,220.

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\$10 million is used to fully fund the reading coach initiative. \$1.5 million is included for expansion of intensive summer reading camps for students not yet ready to advance to the next grade.

\$15 million is appropriated for instructional materials.

Funding for the initiative that allows tax credits for tuition scholarships granted to exceptional needs children is increased to \$12 million.

\$12 million is provided to address the growing student population of South Carolina's Public Charter School District.

\$30 million is provided for new school buses.

Full funding is provided for the LIFE, HOPE, and Palmetto Fellows higher education scholarship programs.

South Carolina's public universities and colleges are afforded \$9.4 million in new recurring funding and the Capital Reserve Fund is utilized to address various repairs, construction projects, and other capital needs at the state's universities and colleges.

The budget includes \$47 million in capital projects, equipment, and other non-recurring items for the state's sixteen technical colleges.

The State Board for Technical and Comprehensive Education is afforded \$4 million for manufacturing, healthcare, and Science, Technology, Engineering, and Math (STEM) training. \$2 million is used to expand a dual-credit STEM program that aims to create a seamless transition from education to employment in such high-demand fields as mechatronics, industrial electronics, general engineering, and automotive technology. \$5 million is devoted to workforce scholarships and grants for individuals pursuing career education and certification at the state's technical colleges with priority given to those who do not qualify for other forms of financial aid.

\$20 million from the Capital Reserve Fund is provided for an Aeronautical Training Center.

The Department of Vocational Rehabilitation is afforded \$250,000 for School to Work Transition Services and \$290,000 for job-driven vocational training.

\$11 million is provided for the Deal Closing Fund that the Department of Commerce uses to recruit new business to the state. LocateSC is afforded \$6.5 million to increase the state's site development for company relocations. \$250,000 is appropriated to the Office of Innovation for grants to local groups that address the needs of innovation, small business development, and emerging industries in the state. \$750,000 is provided for the Military Base Task Force for grants to communities dealing with uncertain federal military budgeting and potential reductions in SC military bases.

The Rural Infrastructure Authority receives \$3.7 million for the Water Quality Revolving Loan Fund that is used to provide low cost financing for major water and sewer improvement projects.

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\$25 million in capital reserve funds is provided for a new children's hospital at the Medical University of South Carolina.

Increased recurring funds are appropriated to the Department of Health and Human Services to cover the state match for the Medicaid program maintenance of effort, increased autism services, and state funds to maintain physician reimbursements rates reduced by the federal "Patient Protection and Affordable Care Act" of 2010.

The budget legislation furthers the "Healthy Outcomes Initiative" that has been implemented as an alternative to an expansion in eligibility for the state's Medicaid Program as allowed by the federal "Patient Protection and Affordable Care Act" of 2010. Funding is continued for such accountability and quality improvement programs as: meeting the needs of chronically ill uninsured patients through home visits and care in other settings outside the emergency room; 100% cost reimbursement for rural hospitals; a Primary Care Safety Net utilizing such resources as Federally Qualified Health Centers and free clinics; and efforts to enhance provider capacity in rural and underserved areas. A pilot program is expanded into a statewide obesity education initiative.

\$2 million in recurring funds is provided for telemedicine along with \$10 million that is included in a "Healthy Outcomes Initiative" proviso to further develop the statewide telemedicine infrastructure network through MUSC.

The Department of Health and Human Services is directed to conduct a pilot program on all-inclusive health intervention for wrap-around care to vulnerable mental health patients who frequent the emergency room in hotspots and underserved areas within the state.

The Department of Mental Health is afforded \$14 million which includes the final phase of increased recurring funding to address budget cuts sustained by the agency during the revenue shortfall of recent years as well as the second installment of funding for continuing the process of converting health records to an electronic format that is necessary for meeting federal hospital certification requirements.

The Department of Disabilities and Special Needs receives \$11 million for such initiatives as continued reductions in its patient waiting list.

The Department of Social Services is afforded \$9 million to fully fund its budget request for hiring additional protective services workers to reduce sizeable caseloads and providing a case worker salary increase to address the high turnover rate at the agency.

The Department of Health and Environmental Control receives nonrecurring revenue in the amount of \$500,000 for Criminal Domestic Violence, \$675,000 for the Best Chance/Colon Cancer Prevention Networks, \$100,000 for the J. R. Clark Sickle Cell Foundation, \$100,000 for the Bleeding Disorders Premium Assistance Program, and \$100,000 for Donate Life's Organ Donor Registry.

\$3.98 million in recurring revenue is allocated to DHEC for monitoring at the Pinewood Hazardous Waste Disposal Site.

The Department of Agriculture is allocated \$2.5 million to expand the "Certified SC" marketing program and \$500,000 for agribusiness development.

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\$1 million from the Capital Reserve Fund is provided to the Department of Agriculture for consumer protection equipment at the new metrology lab that is utilized by public and private customers including some of the state's major corporations.

Clemson PSA receives \$1.5 million for statewide agribusiness, youth education, and emerging farmer programs. \$1.5 million from the Capital Reserve Fund is provided to renovate the agriculture and natural resources field facilities that support the Clemson PSA research and education centers, campus farms, and veterinary lab. SC State PSA is afforded \$740,555 for the full one-to-one matching requirement for federal funds.

The Department of Natural Resources is afforded \$299,000 for law enforcement officer salary step increases, \$527,000 for recurring vehicle replacement, \$175,000 to enhance public access to Wildlife Management Area lands, and \$118,000 for the endangered species state listing initiative.

The Forestry Commission receives \$500,000 for 8 additional full-time firefighters and \$500,000 in nonrecurring revenue for new, safer firefighting equipment.

The State Law Enforcement Division is provided \$950,000 for eight new regional investigative positions, \$390,000 for new alcohol enforcement agents, and \$900,000 from the Capital Reserve Fund for vehicles.

The Department of Public Safety is provided \$2 million in recurring funds and \$1 million from the Capital Reserve Fund for law enforcement vehicles. \$100,000 is included for tasers and \$800,000 from the Capital Reserve Fund is provided for body armor replacement. DPS receives \$953,000 for Highway Patrol reclassification. Provisions are made for a new trooper class utilizing other funds derived from a DUI enforcement grant.

\$2.4 million in recurring funds and \$1 million in nonrecurring funds is provided to the Public Safety Coordinating Council to begin the purchase of law enforcement officer body cameras and fund associated data storage for recordings.

The Department of Corrections receives \$3 million in recurring funds and \$1.5 million in nonrecurring funds for its mental health remediation plan, \$927,806 for medical staff, \$449,000 for youthful offender/addictions treatment, and \$909,190 for its education improvement plan/vocational equipment.

\$645,500 is provided for two new at-large family court judges and associated staff.

The Attorney General's Office receives \$312,000 for a federal habeas corpus attorney, two civil attorneys, and an appellate attorney and \$75,000 for a financial data analyst/forensic accountant.

\$2.6 million is provided to the Department of Probation, Parole, and Pardon Services for 44 new parole agents.

\$249,656 is provided for DPS, PPP, and SLED overtime costs for security during Bike Week.

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The Department of Revenue receives a final installment of \$6 million to implement an updated tax processing system.

The Department of Employment and Workforce is authorized to expend up to \$300,000 to replace the outdated Unemployment Insurance Tax system.

The Human Affairs Commission receives \$267,400 for five new full-time employee positions in Compliance and Consultative Services and \$119,000 in one-time funding for the creation of Community Relations Councils in 34 counties.

\$1.3 million is allocated to the State Library to annualize previous non-recurring aid to county libraries.

The Department of Transportation receives \$945,00 for four regional salt shed construction projects in Laurens, Anderson, Lancaster, and Chester and \$870,000 for four regional facility maintenance projects in Orangeburg, Greenville/Spartanburg, Lexington, and Clarendon.

\$4.1 million in matching funds is provided for local communities to offset Winter Storm Pax cleanup costs.

The State Ports Authority is afforded \$1 million for Jasper Ocean Terminal permitting and \$250,000 for dredging at the Port of Georgetown.

The Department of Parks, Recreation and Tourism receives \$500,000 in recurring funds for the Undiscovered SC program to showcase the state's rural areas, \$2 million for the Destination-Specific Tourism Marketing Grant Program, \$1 million from the Capital Reserve Fund for renovations at the state's welcome centers, \$1.4 million for the Sports Development Marketing Program, \$5 million in nonrecurring funds for the African-American History Museum, \$1 million in nonrecurring funds for the Medal of Honor Museum, \$1 million from the Capital Reserve Fund for repairs at the State Aquarium, and \$500,000 in recurring funds for the Parks and Recreation Development Fund that provides reimbursable grants for local government recreation projects.

\$1.5 million in nonrecurring funds is provided to the Adjutant General for the repair of deteriorating state armories.

The Election Commission receives \$2.2 million for conducting the two U.S. Presidential Preference Primaries that will be held for the 2016 election.

The Department of Administration is provided \$516,200 for Emergency Management Communications to support statewide public safety agencies, \$500,000 to enhance the state's Guardian Ad Litem Program, \$75,978 for the Office of Victims' Assistance to be used for physical abuse exams, and \$284,582 for Veterans' Affairs to reduce caseloads.

The Lieutenant Governor's Office on Aging receives \$529,827 for the Vulnerable Adult Guardian Ad Litem Program and \$1 million in recurring funds for caregiver services.

*STATUS: Having passed the General Assembly, H.3701, the General Appropriation Act, was ratified on June 23, 2015 (R. 127). On June 29, the Governor vetoed certain items. Legislators subsequently sustained some of the vetoes, but overrode others to*

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*allow these provisions, along with provisions not vetoed by the Governor, to become law (Act No. 91). Having passed the General Assembly, H.3702, the joint resolution making appropriations from the Capital Reserve Fund, was ratified on June 23, 2015 (R.128). On June 29, the Governor vetoed certain items. Legislators subsequently overrode the vetoes and the joint resolution became law (Act No. 93). Having passed the General Assembly, H.4230, the Supplemental Appropriation Act, was ratified on June 23, 2015 (R.130). On June 29, the Governor vetoed certain provisions. Legislators subsequently sustained vetoed provisions and allowed the other provisions to become law (Act No. 92).*



## **BUSINESS, ECONOMIC DEVELOPMENT, AND EMPLOYMENT**

### **BUSINESS OWNERS ALLOWED TO EXEMPT THEMSELVES FROM UNEMPLOYMENT COMPENSATION COVERAGE**

The General Assembly approved **S.407**, legislation that establishes a protocol allowing business owners the option of exempting themselves from unemployment compensation coverage. The opt-out provisions apply to corporate officers, individuals who owns at least twenty-five percent of the shares of a corporation, and those who otherwise exercise an ownership interest in a corporation. The legislation also revises penalties for employment and workforce offenses.

*STATUS: Having passed the General Assembly, S.407 was ratified on June 4, 2015, (R.107) and was signed into law by the Governor on June 8 (Act No. 77).*

### **CERTIFIED PUBLIC ACCOUNTANT REGULATION AND OVERSIGHT**

The General Assembly approved **S.301**, a bill relating to the regulation and oversight of certified public accountants. The legislation revises the composition of the South Carolina Board of Accountancy by expanding its membership from nine to eleven, providing for each congressional district to be represented by one certified public accountant board member, and by requiring that one of the two at-large members selected from the general public be a licensed attorney. The legislation revises CPA licensure requirements by providing authorization for applicants to undergo state and federal criminal records checks and by requiring continuing education or additional experience, as applicable, for applicants who delay submitting an application for a substantial period of time after passing the certified public accounting examination or obtaining accounting experience. The legislation revises qualifications for registration of a certified public accounting firm, so as to provide that a simple majority, rather than a supermajority, of the firm ownership must be certified public accountants. The legislation further provides qualifications and continuing professional education requirements for noncertified public accountant owners of these firms. In conducting investigation of complaints and disciplinary proceedings, the Department of Labor, Licensing and Regulation may require state and federal criminal records checks. The legislation establishes deadlines for filings applications for obtaining and renewing licenses and registration.

*STATUS: Having passed the General Assembly, S.301 was ratified on June 2, 2015, (R.82) and was signed into law by the Governor on June 3 (Act No. 51).*

### **“FORFEITED LANDS EMERGENCY DEVELOPMENT ACT”**

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The General Assembly approved **S.78**, the “Forfeited Lands Emergency Development Act”. The legislation provides authority for a county council to petition the South Carolina Department of Revenue for the county’s forfeited land commission to make use of emergency procedures when certain forfeited lands have a significant adverse effect on county ad valorem tax collections that severely affect continued essential public services in the county or a significant adverse effect on economic development and employment in the county resulting from the limited number of properties available for sale and improvement.

*STATUS: Having passed the General Assembly, S.78 was ratified on June 3, 2015, (R.90) and was signed into law by the Governor on June 4 (Act No. 59).*

### **“GUARANTEED ASSET PROTECTION ACT”**

The General Assembly approved **S.441**, the “Guaranteed Asset Protection Act”. The legislation establishes a framework within which lenders may offer a guaranteed asset protection waiver as an option for consumers in a motor vehicle finance agreement that offers protection from loss should a motor vehicle be stolen or totaled in an accident. Under the contractual agreement of a guaranteed asset protection waiver, or GAP waiver, a creditor agrees for a separate charge to cancel or waive all or part of amounts due on a borrower’s finance agreement in the event of a total physical damage loss or unrecovered theft of the motor vehicle.

*STATUS: Having passed the General Assembly, S.441 was ratified on May 28, 2015, (R.54) and was signed into law by the Governor on June 1 (Act No. 31).*

### **INSURANCE PREMIUM SERVICE COMPANIES**

The General Assembly approved **S.666**, relating to insurance premium service companies. The legislation establishes conditions under which interest on mitigation loans may be included in premium service agreements. The legislation provides that insurance premium service companies may not write insurance or sell other services or commodities in connection with a premium service contract except as approved by the Director of the Department of Insurance, or his designee, for mitigation purposes.

*STATUS: Having passed the General Assembly, S.666 was ratified on May 28, 2015, (R.59) and was signed into law by the Governor on June 3 (Act No. 47).*

### **PROHIBITING THE ENFORCEMENT OF INTERNATIONAL RESIDENTIAL BUILDING CODE REQUIREMENTS FOR FIREPROOF FLOORING**

The General Assembly approved **H.3662**, a bill prohibiting the enforcement of International Residential Building Code requirements for fireproof flooring. This bill

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provides that Section 501.3 of the 2012 International Residential Code relating to the installation of fireproof flooring must not be enforced.

*STATUS: Having passed the General Assembly, H.3662 was ratified on May 7, 2015, (R.35) and was signed into law by the Governor the same day (Act No. 17).*

## **REVISING TAX CREDITS FOR THE REHABILITATION OF ABANDONED BUILDINGS AND HISTORIC STRUCTURES**

The General Assembly approved **H.3725**, a bill revising tax credits for the rehabilitation of abandoned buildings and historic structures. The legislation includes criteria for a state-owned abandoned building that affords tax credit eligibility for rehabilitating a building of a certain size abandoned for more than five years that was most recently owned by the State, or an agency, instrumentality, or political subdivision of the State. The legislation revises tax credit provisions for rehabilitating certified historic structures to provide that a taxpayer may elect a twenty-five percent tax credit in lieu of the current ten percent tax credit, not to exceed one million dollars for each certified historic structure. A three-year, rather than a five-year, write-off period is established for the tax credits for rehabilitation expenses of abandoned buildings and historic structures.

*STATUS: Having passed the General Assembly, H.3725 was ratified on June 3, 2015, (R.97) and was signed into law by the Governor on June 9 (Act No. 68).*

## **SOUTH CAROLINA BUSINESS DEVELOPMENT CORPORATIONS**

The General Assembly approved **S.389**, a bill revising provisions governing South Carolina Business Development Corporations which provide loans for small businesses. The area of operations for a South Carolina Business Development Corporation is expanded so that it can transact business not only in this state, but also in the larger surrounding areas that comprise Federal Reserve Districts Five and Six, spanning primarily the Southeastern United States.

*STATUS: Having passed the General Assembly, S.389 was ratified on June 3, 2015, (R.92) and was signed into law by the Governor on June 4 (Act No. 60).*

## **SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT EXTENSION**

The House approved **S.350** to provide a five-year extension for the South Carolina Community Economic Development Act so that these provisions governing community development corporations and community development financial institutions are set to terminate on June 30, 2020, rather than June 30, 2015.

*STATUS: Having passed the General Assembly, S.350 was ratified on May 28, 2015, (R.48) and was signed into law by the Governor on June 3 (Act No. 46).*

## **“TRANSPORTATION NETWORK COMPANY ACT”**

The House amended, approved, and sent the Senate **H.3525**, the “Transportation Network Company Act” to govern the operation of companies, such as Uber, that make use of digital networks and mobile device applications to connect passengers to network drivers for the purpose of providing transportation for compensation. The legislation establishes a permitting process for transportation network companies with the Office of Regulatory Staff which, in carrying out its new regulatory duties, is charged with balancing the interest of the state in promoting innovative, safe, and cost-effective transportation services with an appropriate level of safety protections for passengers and the general public. The Transportation Network Company Act includes new requirements relating to such matters as insurance coverage, vehicle safety inspections, background checks for drivers, nondiscrimination with respect to passengers, the charging of fares, a prohibition on cash payments, and a prohibition on street hails and other ride arrangements that do not make use of the company’s digital network. Assessments are established to address regulatory costs and penalties are provided for violations.

*STATUS: Having passed the General Assembly, H.3525 was ratified on June 23, 2015, (R.126) and was signed into law by the Governor on June 24 (Act No. 88).*

## **UNEMPLOYMENT COMPENSATION DRUG SCREENING REQUIREMENTS**

The General Assembly approved **H.3305**, legislation that includes oral fluids tests among the accepted forms of drug screening that may be used to meet the requirements for receiving unemployment benefits.

*STATUS: Having passed the General Assembly, H.3305 was ratified on June 8, 2015, (R.118) and was signed into law by the Governor on June 11 (Act No. 80).*

# **THE COURTS**

## **ALIMONY REFORM STUDY COMMITTEE**

The General Assembly approved **H.3215**, a joint resolution creating a temporary legislative Alimony Reform Study Committee to examine the state’s alimony laws including such issues as the length, amount, and consistency of alimony awards. Composed of three members of the House of Representatives appointed by the Chairman of the House Judiciary Committee and three members of the Senate appointed by the Chairman of the Senate Judiciary Committee, the study committee is charged with reporting its findings and recommendations to the General Assembly by December 31, 2015, at which time the study committee must be dissolved.

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*STATUS: Having passed the General Assembly, H.3215 was ratified on May 28, 2015, (R.61) and was signed into law by the Governor on June 1 (Act No. 128).*

### **“MENTAL HEALTH COURT PROGRAM ACT”**

The General Assembly approved **S.426**, the “Mental Health Court Program Act”. Acting upon results of a mental health court pilot program that indicate potential additional benefits of statewide implementation, the legislation authorizes circuit solicitors to establish programs to divert qualifying mentally ill offenders away from the criminal justice system and into appropriate treatment programs, thereby reserving prison space for violent criminals and others for whom incarceration is the only reasonable alternative. Each circuit solicitor may establish a pre-adjudicatory or post-adjudicatory program, or a combination of both. Should state funding for implementation of a mental health court program be accepted, the solicitor must establish and administer it. The Chief Justice of the South Carolina Supreme Court appoints all mental health court judges. Offenders would not be eligible for the program if they are charged with, or have a prior conviction for, a violent crime, harassment, or stalking, or otherwise meet the criteria that make them ineligible to participate in diversion programs.

*STATUS: Having passed the General Assembly, S.426 was ratified on May 28, 2015, (R.53) and was signed into law by the Governor on June 1 (Act No. 30).*

### **STATE GRAND JURY REVISIONS**

The General Assembly approved **S.268**, legislation that revises the processes for initiating the state grand jury, extending a state grand jury’s term, expanding the scope of a state grand jury investigation, exercising judicial oversight, resolving conflicts of interest, and imposing disqualifications. The revisions provide that when the Attorney General and the State Law Enforcement Division Chief determine it is necessary to initiate the state grand jury, the Attorney General only has to notify the chief administrative judge that the state grand jury is being initiated. After being notified, the chief judge will then be required to impanel the state grand jury. The legislation also amends the standards for when a grand jury is needed. Current law states that the AG and SLED Chief may use the state grand jury when they “consider it necessary and normal investigative or prosecutorial procedures are not adequate.” Under this bill, they would only have to show they “consider it necessary to enhance the effectiveness of investigative or prosecutorial procedures.” Under this bill, the AG can automatically extend the state grand jury term for a period of six months up to a two-year maximum. The bill limits the scope of the presiding judge’s oversight of the investigation. Current law allows the judge to limit the investigation or discharge the state grand jury if the judge determines the state grand jury is not conducting investigative activity within its jurisdiction. The legislation provides that an order limiting or ending a state grand jury investigation shall only be granted upon a finding of arbitrary action, compelling circumstances, or serious abuses of law or procedure by or before the state grand jury. The legislation provides that matters relating to the limitation of state grand jury investigations must be handled by the South Carolina Supreme Court in an expedited fashion. The legislation establishes revised protocols for the recusal of the Attorney General or solicitors from state grand jury investigations due to conflicts of interest and

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for the disqualification of the Attorney General from a state grand jury investigation. The process for expanding the scope of the state grand jury is amended to allow the AG to expand it only by notifying the presiding judge. Current law requires that the AG request the judge to expand the scope of inquiry. The legislation makes revisions to requirements for state grand jury matters to be conducted in secrecy, including a new requirement that the court must grant an authorized request for disclosure made by the Attorney General in an expedited manner so as to not interfere with or delay the operation of the state grand jury. The legislation includes provisions for timely bond hearings and release when a bond is delivered to the incarcerating facility of individuals indicted by a state grand jury for bailable offenses.

*STATUS: Having passed the General Assembly, S.268 was ratified on May 28, 2015, (R.46) and was signed into law by the Governor on June 3 (Act No. 45).*

## **"TRESPASSER RESPONSIBILITY ACT"**

The General Assembly approved **H.3266**, the "Trespasser Responsibility Act". This legislation codifies common law provisions relating to trespassers under which a possessor of land owes no duty to a trespasser except to refrain from causing a wilful or wanton injury. These limitations on a landowner's legal liability include certain exceptions and conditions that relate only to trespassers who are children or individuals with an intellectual disability. The legislation does not affect any immunities from or defenses to civil liability established by another section of the South Carolina Code of Laws or available at common law to which a possessor of land may be entitled.

*STATUS: Having passed the General Assembly, H.3266 was ratified on June 4, 2015, (R.111) and was signed into law by the Governor on June 8 (Act No. 65).*

# **CRIMINAL JUSTICE AND LAW ENFORCEMENT**

## **BODY-WORN CAMERAS FOR LAW ENFORCEMENT OFFICERS**

The General Assembly approved **S.47**, legislation making provisions for equipping law enforcement officers with body-worn cameras that make audio and video recordings. The legislation requires state and local law enforcement agencies to implement the use of body-worn cameras according to guidelines established by the Law Enforcement Training Council. Within one hundred eighty days, the Law Enforcement Training Council must conduct a study of jurisdictions where body-worn cameras are in use and produce guidelines that address such issues as which law enforcement officers must wear cameras, when they must be worn and activated, how recordings should be retained and released, and how consent should be obtained from victims and witnesses for recording their interviews. The General Assembly may terminate all or part of the

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guidelines by resolution. Using these guidelines, state and local law enforcement agencies must develop policies and procedures for the use of body-worn cameras and submit them to the Law Enforcement Training Council for approval within two hundred seventy days. Within three hundred sixty days, the Law Enforcement Training Council must report to the General Assembly on such matters as program costs and recommended law changes. A “Body-Worn Cameras Fund” is established within the Department of Public Safety for the purpose of assisting state and local law enforcement agencies, the Attorney General’s office, solicitors’ offices, and public defenders’ offices with implementation by addressing costs associated with such matters as the initial purchase of cameras, equipment maintenance and replacement, and data storage for recordings. A state or local law enforcement agency is not required to implement the use of body-worn cameras until it has received full funding. The legislation does not preclude a law enforcement agency from making its own provisions for body-worn cameras while awaiting statewide guidelines and such agencies are eligible to apply to the Department of Public Safety to have their costs reimbursed. The legislation specifies that data recorded by a body-worn camera is not a public record subject to disclosure under the Freedom of Information Act. Provisions are made for the recorded data to be handled as evidence that is released and shared according to the state’s rules of criminal and civil legal procedure. The legislation includes requirements that data recorded by a body-worn camera must be supplied to further a law enforcement agency’s internal investigation regarding officer misconduct or disciplinary action as well as to fulfill requests made by the State Law Enforcement Division, the Attorney General, or a circuit solicitor for any legitimate criminal justice purpose. State and local agencies are authorized to release body-worn camera data at their discretion.

*STATUS: Having passed the General Assembly, S.47 was ratified on June 4, 2015, (R.100) and was signed into law by the Governor on June 10 (Act No. 71).*

## HUMAN TRAFFICKING

The General Assembly approved **S.196**, legislation enhancing provisions for combatting human trafficking. The legislation includes human trafficking offenses within the jurisdiction of the state grand jury. The legislation also includes new requirements for posting National Human Trafficking Resource Center Hotline information that apply to a list of establishments such as adult businesses, massage parlors, hospital emergency rooms, agricultural labor contractors, hotels, motels, airports, train stations, bus stations, rest areas, and truck stops. Penalties are established for failing to comply with these posting requirements.

The General Assembly also approved **S.183**, legislation that incorporates Uniform Law Commission recommendations regarding human trafficking into South Carolina law by: defining who is considered a trafficker; providing for expungement of prostitution convictions for victims of human trafficking; establishing a safe harbor for minors who are victims of human trafficking; excluding evidence of a victim’s sexual history or history of commercial sexual activity, the specific instances of a victim’s sexual conduct, opinion evidence of a victim’s sexual conduct, and reputation evidence of a victim’s sexual conduct; allowing a court to disgorge profits and disbar from state or local government contracts any business that aids or participates in a human trafficking offenses; and providing that an offender can be ordered to pay attorney’s fees and an amount

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representing the value of the victim's labor or services as a part of restitution. The SC Attorney General Interagency Task Force for the Prevention of Trafficking in Persons is authorized to make grants to, or contract with, agencies or victim's services organizations to develop or expand victim services.

*STATUS: Having passed the General Assembly, S.196 was ratified on April 1, 2015, (R.16) and was signed into law by the Governor on April 2 (Act No. 7). Having passed the General Assembly, S.183 was ratified on June 4, 2015, (R.103) and was signed into law by the Governor on June 8 (Act No. 74).*

## **JUVENILE CRIMINAL RECORD EXPUNGEMENT**

The General Assembly approved **S.133**, a bill addressing juvenile criminal record expungement. The legislation allows automatic juvenile record expungement for status offenses. It also contains a procedure for expungement of non-violent crimes and multiple crimes at the request of an offender. Law enforcement agencies can file an objection to a requested expungement if the requestor has other charges pending or the charges are not eligible for a requested expungement. Under the legislation, an order of expungement is discretionary if the offense is for a non-violent crime or if the requestor had multiple criminal offenses, and an order for status offenses is automatic. Requestors are allowed file a petition for expungement at age 17 and no longer have to wait until age 18 to make their requests.

*STATUS: Having passed the General Assembly, S.133 was ratified on May 28, 2015, (R.43) and was signed into law by the Governor on June 1 (Act No. 22).*

## **POWDERED ALCOHOL AND CRYSTALLINE ALCOHOL PROHIBITED**

The General Assembly approved **S.179**, legislation prohibiting crystalline alcohol along with powdered alcohol which makes the possession, use, sale, and purchase of these substances misdemeanor criminal offenses.

*STATUS: Having passed the General Assembly, S.179 was ratified on June 4, 2015, (R.102) and was signed into law by the Governor on June 5 (Act No. 73).*

## **“SOUTH CAROLINA EMERGENCY MANAGEMENT LAW ENFORCEMENT ACT”**

The General Assembly approved **H.3168**, the “South Carolina Emergency Management Law Enforcement Act”. The legislation establishes procedures for the use of out-of-state law enforcement officers who are deployed to this state during declared emergencies or disasters under the provisions of the Emergency Management Assistance Compact that South Carolina has entered into with its fellow states.



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*STATUS: Having passed the General Assembly, H.3168 was ratified on May 28, 2015, (R.60) and was signed into law by the Governor on June 1 (Act No. 35).*

# DOMESTIC VIOLENCE

The General Assembly approved **S.3** the comprehensive Domestic Violence Reform Act which includes recommendations of special committees appointed in both the House of Representatives and Senate to focus on the issue.

## **Domestic Violence Penalties**

The legislation revises criminal penalties for domestic violence so that they emphasize not only the number of previous incidents but also better address the severity of violence as well as take into account whether certain aggravating circumstances are involved. Under the revisions, enhanced criminal penalties apply if certain egregious elements are present in an incident, such as strangulation, abuse committed in the presence of children, abuse of pregnant women, and violence that is used to prevent someone from summoning emergency assistance or reporting a crime. Penalty enhancements are provided when someone violates an order of protection in the course of committing domestic violence. Penalties are increased for Domestic Violence of a High and Aggravated Nature and all three degrees of Domestic Violence so that these crimes carry higher possible maximum terms of imprisonment. The felonies of First Degree Domestic Violence and Domestic Violence of a High and Aggravated Nature are added to the list of crimes classified as serious offenses. First Degree Domestic Violence joins Domestic Violence of a High and Aggravated Nature in the list of offenses designated as violent crimes.

Oversight of batterer treatment programs is transferred away from the Department of Social Services and the authority for approving and selecting domestic violence intervention programs is reassigned to the prosecuting agency.

The legislation establishes firearms restrictions in conjunction with domestic violence convictions and protection orders that include an automatic lifetime prohibition on possessing firearms and ammunition for those convicted of the felony Domestic Violence of a High and Aggravated Nature, an automatic ten year ban for those convicted of the felony First Degree Domestic Violence, and provisions that allow for a ban of up to three years in convictions for the misdemeanor offenses of Second Degree and Third Degree Domestic Violence. Penalties are provided for violating firearms restrictions. The legislation establishes a protocol that allows those who are subject to firearms restrictions due to certain domestic violence offenses to have their gun rights restored once the period of restriction has expired and request that the State Law Enforcement Division notify the National Instant Criminal Background Check System in order to have their names removed.

## **Bond Reform**

The legislation provides that when a person is charged with a domestic violence violation, the bond hearing may not proceed without the person's criminal record and incident report or the presence of the arresting officer. These bond hearings must still occur within twenty-four hours after the arrest.

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The considerations used for determining bonds are revised to include whether someone poses a danger to an individual as well as to the community.

**Permanent Restraining Orders**

The legislation includes provisions that allow victims of domestic violence, sex crimes, and certain other offenses to obtain a permanent restraining order against an offender which a judge would put in place for life so that the order would not need to be periodically revisited and extended.

**Social Policy**

The legislation establishes a new statewide multidisciplinary Domestic Violence Advisory Committee that is composed of representatives from such fields as key state government positions, legislators, prosecutors, law enforcement officials, coroners, victims' advocates, and physicians. The committee is charged with decreasing the incidences of domestic violence in South Carolina by undertaking public education efforts, studying domestic violence in the state, assessing the effectiveness of state laws and programs to combat the problem, and advising on policy and practice changes, including the issuance of an annual report.

The Department of Social Services, in consultation with the South Carolina Voucher Program, is charged with studying whether adequate childcare services are available to allow domestic violence survivors to attend court hearings.

The legislation makes minors who have witnessed domestic violence eligible to receive counseling services funded through awards from the state's crime victim's compensation fund.

The legislation authorizes circuit solicitors to facilitate the development of community domestic violence coordinating councils that bring together a diverse array of disciplines and backgrounds from the public and private sectors to spearhead local efforts for ensuring that domestic violence survivors and their families have access to needed resources, to promote interdisciplinary and interagency efforts to counter domestic violence, and to increase public awareness and understanding of domestic violence and its consequences.

The legislation requires the subject of domestic violence to be incorporated into the instruction that public school students receive in comprehensive health education in grades six through eight.

*STATUS: Having passed the General Assembly, S.3 was ratified on June 2, 2015, (R.80) and was signed into law by the Governor on June 4 (Act No. 58).*

## **EDUCATION**

### **CHARTER SCHOOL GOVERNANCE**

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The General Assembly approved **H.4084**, a bill that specifies that charter school board members, employees, and staff are subject to ethics and government accountability requirements that are established in state law for public members and public employees. The legislation also revises charter school provisions to make specific provisions for the hiring of someone who serves as the designated school leader in charge of overseeing the daily operation of the school.

*STATUS: Having passed the General Assembly, H.4084 was ratified on June 8, 2015, (R.122) and was signed into law by the Governor on June 11 (Act No. 83).*

**FORGIVING SCHOOL DAYS MISSED BECAUSE OF SNOW,  
EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS**

The General Assembly approved **H.3890**, a bill revising the authority for forgiving school days missed because of snow, extreme weather conditions, or other disruptions. Under the legislation, a local school district is authorized, through a majority vote of its board of trustees, to waive make-up requirements for up to three school days missed because of snow, extreme weather conditions, or other disruptions in situations when the year's scheduled make-up days have been used or are no longer available. After the 2014-2015 school year, such waivers may not be granted by a board until schools have made up three full days, or the equivalent number of hours. The State Board of Education, at the request of a school board, is authorized to grant waivers for up to an additional three days beyond the three days forgiven by the local school district. The State Department of Education is required to provide the General Assembly with an annual report of information from each district that provides detail on the number of days missed and the reason, make-up days, and waivers granted. Currently, the forgiveness of missed school days requires an approval of some kind from the General Assembly.

*STATUS: Having passed the General Assembly, H.3890 was ratified on May 7, 2015, (R.40) and was signed into law by the Governor on the same day (Act No. 21).*

**"JAMES B. EDWARDS CIVICS EDUCATION INITIATIVE"**

Named to honor the memory of the late South Carolina Governor and his commitment to fostering civic virtues, the "James B. Edwards Civics Education Initiative", **S.437**, was approved to require that public high school students take the civics test that the U.S. Citizenship and Immigration Services administers to prospective citizens to demonstrate knowledge and understanding of the fundamentals of American history and the principles and form of the United States government. Students are not required to pass this civics test, but those who do receive at least a passing grade may be recognized by the school district. Each public school, including charter schools, must report the percentage of students at or above the designated passing score on the test for inclusion on the school's report card.

*STATUS: Having passed the General Assembly, S.437 was ratified on June 2, 2015, (R.83) and was signed into law by the Governor on June 3 (Act No. 52).*

## **SCHOOL BUS DRIVER EXAMINATIONS**

The General Assembly approved **H.3882**, a bill relating to school bus driver examinations. The legislation expands eligibility for those who are authorized to perform the physical examinations required of school bus drivers so that exams might be more readily available.

*STATUS: Having passed the General Assembly, H.3882 was ratified on June 4, 2015, (R.113) and was signed into law by the Governor on June 8 (Act No. 66).*

## **SOUTH CAROLINA STATE UNIVERSITY INTERIM GOVERNING AUTHORITY**

The General Assembly approved **H.3663**, a joint resolution establishing an interim governing authority for South Carolina State University in order to address the school's financial crisis and academic accreditation issues and ensure the continuing viability of the institution. The legislation removes the members of S.C. State's Board of Trustees and transfers oversight and control of the institution to an Interim Board of Trustees composed of the designees of the Governor, Treasurer, State Superintendent of Education, Chairman of the House Ways and Means Committee, Chairman of the Senate Finance Committee, Chairman of the House Ways and Means Higher Education and Technical Colleges Subcommittee, and Chairman of the Senate Finance Higher Education Subcommittee. The President of the South Carolina State University National Alumni Association and the South Carolina State University Student Government Association President are to serve in an ex officio capacity as nonvoting members of the Interim Board. The Interim Board is solely responsible for the selection, periodic evaluation, and retention or termination of the university's president. The Interim Board serves up to June 30, 2018, or until the General Assembly holds elections for a new South Carolina State University Board of Trustees.

*STATUS: Having passed the General Assembly, H.3663 was ratified on May 7, 2015, (R.36) and was signed into law by the Governor on the same day (Act No. 121).*

## **STUDENT PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES**

The General Assembly approved **S.154**, relating to student participation in interscholastic activities. This legislation expands the State Board of Education's authority to waive the academic requirements for students to participate in sports and other interscholastic activities by allowing the board to grant a waiver of the requirements if a student's ineligibility to participate in interscholastic activities is due to a long-term absence as a result of a medical condition, but the student has been medically cleared to participate, or for any other circumstance that board determines to be reasonable.

*STATUS: Having passed the General Assembly, S.154 was ratified on May 28, 2015, (R.45) and was signed into law by the Governor on June 1 (Act No. 24).*

## **TUITION FREE ATTENDANCE OF STATE HIGHER EDUCATION CLASSES FOR SENIORS EXPANDED**

The General Assembly approved **S.261**, legislation expanding provisions that allow seniors to attend classes at the state's institutions of higher learning tuition free. The legislation provides that receiving compensation as a full-time employee no longer disqualifies someone from participating in the programs that allow someone who is at least sixty years old to attend classes without paying tuition at state-supported colleges and universities, and institutions under the jurisdiction of the State Board for Technical and Comprehensive Education.

*STATUS: Having passed the General Assembly, S.261 was ratified on June 2, 2015, (R.81) and was signed into law by the Governor on June 3 (Act No. 50).*

## **HEALTH AND FAMILY**

### **ACCESS TO MEDICAL RECORDS IN CASES OF SUSPECTED CHILD ABUSE OR NEGLECT**

The General Assembly approved **S.250**, a bill addressing access to medical records in cases of suspected child abuse or neglect. The legislation establishes provisions that afford medical providers access to children's medical records in cases of suspected child abuse or neglect without the necessity of obtaining a court order or parental signature. The legislation provides that, with a written request, and without parental consent, any primary care physician must release records, images, photos, and all other health information only to the consulting care physician and the hospital facility. The consulting care physician and the hospital facility only may release the records to law enforcement in accordance with the provisions of the federal Health Insurance Portability and Accountability Act (HIPAA). The South Carolina Department of Social Services is authorized to grant any South Carolina Children's Advocacy Medical Response System child abuse health care provider access to indicated abuse case records in order to evaluate a child for suspected abuse or neglect. These system child abuse health care providers are allowed to receive referral summaries and case outcomes for suspected child abuse or neglect that were sent to any contracted service agency or program. SCDSS must share any information gathered in an indicated investigation with children's primary or specialty health care providers. SCDSS is allowed to release allegation summaries and investigation outcomes for unfounded cases of child abuse to a South Carolina Children's Advocacy Medical Response System child abuse health care provider for evaluation of the child for suspected abuse or neglect.

*STATUS: Having passed the General Assembly, S.250 was ratified on June 4, 2015, (R.105) and was signed into law by the Governor on June 8 (Act No. 75).*

### **ADMINISTRATION OF VACCINES BY PHARMACISTS**

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The General Assembly approved **S.413**. The legislation provides that, at the recommendation of the Joint Pharmacist Administered Vaccines Committee, the Board of Medical Examiners shall determine whether a specific vaccine is appropriate for administration by a pharmacist without a written order or prescription from a physician. The bill also provides for circumstances in which a pharmacy intern under direct supervision may administer vaccinations. The influenza vaccine may be administered to a person twelve years of age or older. This committee must submit its initial recommendations to the Board for approval and periodically thereafter as determined by the committee. All vaccination records must be maintained in the pharmacy for a period of at least ten years from the date of the last vaccination for adults and at least thirteen years from the date of the last vaccination for minors. All documentation, records and copies may be stored electronically.

*STATUS: Having passed the General Assembly, **S.413** was ratified on May 28, 2015, (R. 52) and was signed into law by the Governor on June 1, 2015 (Act No. 29).*

## **ALIMONY REFORM STUDY COMMITTEE**

The General Assembly approved **H.3215**, a joint resolution creating a temporary legislative Alimony Reform Study Committee to examine the state's alimony laws including such issues as the length, amount, and consistency of alimony awards. Composed of three members of the House of Representatives appointed by the Chairman of the House Judiciary Committee and three members of the Senate appointed by the Chairman of the Senate Judiciary Committee, the study committee is charged with reporting its findings and recommendations to the General Assembly by December 31, 2015, at which time the study committee must be dissolved.

*STATUS: Having passed the General Assembly, **H.3215** was ratified on May 28, 2015, (R.61) and was signed into law by the Governor on June 1 (Act No. 128).*

## **DEATH CERTIFICATES**

The General Assembly approved **S.176**, legislation requiring death certificates to be electronically filed with the Bureau of Vital Statistics within three days after death. The legislation also provides that medical certifications of cause of death must be completed by the patient's physician and returned to the funeral home director within forty-eight hours after death. The bill provides for exceptions and penalties for failure to meet deadlines.

*STATUS: Having passed the General Assembly, **S.176** was ratified on June 4, 2015, (R.101) and was signed into law by the Governor on June 8 (Act No.72).*

## **SICKLE CELL DISEASE OR SICKLE CELL TRAIT**

The General Assembly approved **S.341**. The legislation requires every hospital and birth center in the state to provide the parents of each newborn baby who is at high risk for sickle cell disease or sickle cell trait delivered in the hospital or birth center,

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educational information on sickle cell disease and sickle cell trait and associated complications.

*STATUS: Having passed the General Assembly, **S.341** was ratified on June 4, 2015, (R.106) and was signed into law by the Governor on June 8(Act No.76).*

**“SOUTH CAROLINA OVERDOSE PREVENTION ACT”**

The General Assembly approved **H.3083**, the “South Carolina Overdose Prevention Act”. The legislation establishes provisions that allow protection from legal liability for prescribing, dispensing, and administering an opioid antidote to individuals who may be at risk of an opioid drug overdose.

*STATUS: Having passed the General Assembly, H.3083 was ratified on June 2, 2015, (R.85) and was signed into law by the Governor on June 3 (Act No. 54).*



## HERITAGE AND HOLIDAYS

### CONFEDERATE BATTLE FLAG TRANSFERRED FROM THE STATE HOUSE GROUNDS TO THE CONFEDERATE RELIC ROOM

The General Assembly approved **S.897** which authorized the removal of the South Carolina Infantry Battle Flag of the Confederate States of America from the Capitol grounds in Columbia and the transfer of this banner from its position at the Confederate Soldier Monument in front of the State House to a place of appropriate display in the Confederate Relic Room.

*STATUS: Having passed the General Assembly, S.897 was ratified on July 9, 2015, (R.132) and was signed into law by the Governor on the same day (Act No. 90).*

### “ITALIAN AMERICAN HERITAGE MONTH”

The General Assembly approved **S.411** to designate the month of October of every year as “Italian American Heritage Month” in South Carolina in order to recognize Italian Americans for their many contributions to our state and nation.

*STATUS: Having passed the General Assembly, S.411 was ratified on March 25, 2015, (R.8) and was signed into law by the Governor on March 27 (Act No. 6).*

## MILITARY

### ADJUTANT GENERAL’S ANNUAL REPORT ON THE SOUTH CAROLINA NATIONAL GUARD

The General Assembly approved **H.3683**, legislation requiring that the Adjutant General’s annual report on the South Carolina National Guard be submitted to the General Assembly as well as to the Governor.

*STATUS: Having passed the General Assembly, H.3683 was ratified on May 7, 2015, (R.38) and was signed into law by the Governor the same day (Act No. 19).*

### COMMITTEE TO STUDY STATE AND LOCAL LEVEL VETERANS ISSUES

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The General Assembly approved **H.3324**, a joint resolution establishing a committee comprised of the members of the Joint Legislative Veterans Issues Study Committee created in 2010 or their successors, three members appointed by the Governor, and three members appointed by the Adjutant General. The committee is charged with studying and evaluating: the current relationships between the county veterans affairs offices and the executive and legislative branches of state government; the relationships between the county veterans affairs offices and the South Carolina Division of Veterans Affairs; and, the relationships between the South Carolina Division of Veterans Affairs and the United States Department of Veterans Affairs. In addition, the committee is tasked with reviewing the current mission of the 2010 Joint Legislative Veterans Issues Study Committee and determining whether its functions should be expanded or codified. The committee must submit a written report of its findings and recommendations to General Assembly and the Governor by February 1, 2016, at which point it is dissolved.

*STATUS: Having passed the General Assembly, **H.3324** was ratified on May 7, 2015, (R.30) and was signed into law by the Governor on May 7 (Act No. 127).*

## **EXTENSION OF A PROPERTY TAX EXEMPTION TO THE VEHICLE OF A DISABLED VETERAN'S SURVIVING SPOUSE**

The General Assembly approved **S.153**, legislation that revises the motor vehicle property tax exemption allowed for a disabled veteran to provide that the tax exemption is allowed to the surviving spouse of the person on one private passenger vehicle owned or leased by the spouse for their lifetime or until the remarriage of the surviving spouse.

*STATUS: Having passed the General Assembly, S.153 was ratified on May 28, 2015, (R.44) and was signed into law by the Governor on June 1 (Act No. 23).*

## **IN-STATE HIGHER EDUCATION TUITION RATES FOR VETERANS AND THEIR DEPENDENTS**

The General Assembly approved **S.391**, a bill revising eligibility criteria for in-state higher education tuition rates for veterans and their dependents. Implementation of these provisions at the state level facilitates continued eligibility under federal G.I. Bill provisions. The legislation provides that active duty military personnel may be charged less than the undergraduate tuition rate for South Carolina residents for courses that are presented on a distance basis, regardless of residency. Also a covered individual enrolled in a public institution of higher education and receiving educational assistance are entitled to pay in-state tuition and fees without regard to the length of time the covered individual has resided in this State. Such a covered individual is defined as a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard and who enrolls within three years of discharge; or a person who is entitled to and receiving certain federal assistance by virtue of the person's relationship to the veteran. A covered individual must live in this State while enrolled at the in-state institution.

*STATUS: Having passed the General Assembly, S.391 was ratified on May 7, 2015, (R.23) and was signed into law by the Governor on the same day (Act No. 11).*

## **NOTIFICATION REQUIREMENTS FOR CHILD ABUSE AND NEGLECT ALLEGATIONS INVOLVING ACTIVE MILITARY FAMILIES**

The General Assembly approved **H.3548**, a bill establishing notification requirements for child abuse and neglect allegations involving active military families. The legislation establishes requirements for Department of Social Services reports of alleged child abuse and neglect involving a child of an active military family to be made to designated military authorities at military installations.

*STATUS: Having passed the General Assembly, H.3548 was ratified on June 3, 2015, (R.95) and was signed into law by the Governor on June 4 (Act No. 62).*

## **REEMPLOYMENT RIGHTS OF SOUTH CAROLINA NATIONAL GUARD AND STATE GUARD MEMBERS**

The General Assembly approved **H.3547**, a bill that expands provisions establishing reemployment rights of South Carolina National Guard and State Guard members, so that they also apply to someone who is employed in South Carolina but has been a member of another state's national or state guard and honorably released from that duty.

*STATUS: Having passed the General Assembly, H.3547 was ratified on May 7, 2015, (R.34) and was signed into law by the Governor on May 7 (Act No. 16).*

## **“SOUTH CAROLINA UNIFORM MILITARY AND OVERSEAS VOTERS ACT”**

The General Assembly approved **H.3154**, the “South Carolina Uniform Military and Overseas Voters Act”, legislation that better facilitates the casting of absentee ballots in elections by deployed military and other overseas voters.

*STATUS: Having passed the General Assembly, H.3154 was ratified on June 8, 2015, (R.117) and was signed into law by the Governor on June 11 (Act No. 79).*

## **“UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT”**

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The General Assembly approved **H.3156**, the “Uniform Deployed Parents Custody and Visitation Act”. The legislation establishes protocols to address issues of custodial responsibility that arise when a parent in the Armed Services is deployed, including provisions for temporary child custody orders and agreements that are put in place during the time of deployment.

*STATUS: Having passed the General Assembly, H.3156 was ratified on June 3, 2015, (R.94) and was signed into law by the Governor on June 4 (Act No. 61).*

## **NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS**

### **EXPANSIVE PROVISIONS FOR HUNTING COYOTES, FERAL HOGS AND ARMADILLOS**

The General Assembly approved **S.592**, legislation establishing more expansive provisions for hunting coyotes, feral hogs and armadillos to reduce the rising populations of these nuisance animals.

*STATUS: Having passed the General Assembly, S.592 was ratified on June 2, 2015, (R.84) and was signed into law by the Governor on June 3 (Act No. 53).*

### **FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP**

The General Assembly approved **H.3393**, legislation that provides that, for the privilege of hunting migratory waterfowl in this state, a hunters must also obtain a Federal Migratory Hunting and Conservation Stamp in addition to the required state hunting license and permits. In order to provide convenience for hunters, the legislation affords the Department of Natural Resources authority to contract with the United States Fish and Wildlife Service to make a Federal Migratory Hunting and Conservation Stamp available through the license sales system of the department.

*STATUS: Having passed the General Assembly, H.3393 was ratified on May 7, 2015, (R.31) and was signed into law by the Governor on May 7 (Act No. 42).*

### **HUNTING AND TAKING OF WILD TURKEY**

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The General Assembly approved **H.3118**, legislation relating to the hunting and taking of wild turkey, including conservation measures that may be needed to address observed declines in the state's wild turkey population. The legislation restructures the provisions for the hunting and taking of male wild turkeys so that they are, temporarily, the same across the state, providing for an expanded season for most of the state. Under the legislation's statewide hunting provisions, the season bag limit per person for male wild turkeys is three taken by any lawful means and the daily bag limit per person for male wild turkeys is two taken by any lawful means. After the third turkey season conducted under the legislation's statewide unified provisions, the Department of Natural Resources must conduct an analysis of the wild turkey resources in South Carolina and draft a report recommending any changes to the wild turkey season and bag limits. This report must be submitted to the General Assembly and DNR is required to produce an annual report on wild turkey resources. The legislation's provisions for the statewide unified turkey seasons and related revisions are to remain in effect until November 7, 2018, and at such time will revert back to the original law.

*STATUS: Having passed the General Assembly, **H.3118** was ratified on May 7, 2015, (R.28) and was signed into law by the Governor on May 7(Act No. 41).*

## **PASSIVE SOIL-BASED ON-SITE DISPOSAL SYSTEMS**

The General Assembly approved **H.3646**, legislation dealing with passive soil-based on site disposal systems used to collect, treat, and discharge, or reclaim wastewater or sewage. Current law allows soil dispersal systems to be sized two-thirds of that required for a conventional gravel trench. Certain other restrictions are also imposed including requirements for manufacturers to maintain financial assurances and provisions that limit installation of these systems to single-family dwellings. As a result of these systems being used successfully for the past ten years, the legislation increases trench sizing from two-thirds to three-quarters of that required for a conventional gravel trench and repeals requirements such as financial assurances and single-family dwelling limitations.

*STATUS: Having passed the General Assembly, **H.3646** was ratified on May 28, 2015, (R.64) and was signed into law by the Governor on June 1 (Act No. 37).*

## **REQUIREMENTS FOR WEARING SAFETY APPAREL IN WILDLIFE MANAGEMENT AREAS**

The General Assembly approved **H.3668**. The legislation requires all non-exempt persons to wear a hat, coat, or vest of solid international orange while on Wildlife Management Area lands during deer hunting season.

*STATUS: Having passed the General Assembly, **H.3668** was ratified on May 7, 2015, (R.37) and was signed into law by the Governor on May 7(Act No. 18).*

## **“TAKE PALMETTO PRIDE IN WHERE YOU LIVE ACT”**

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The General Assembly approved **H.3035**, legislation establishing a twelve-member Take Palmetto Pride in Where You Live Commission under the Department of Natural Resources to serve as the lead agency for statewide litter removal, litter reduction and prevention, and litter law enforcement through facilitating communication, cooperation and coordination of the efforts and resources of state agencies, local governments, the private profit and nonprofit sectors, business, and industry. Comprised of the directors and presidents of various departments, agencies, and associations, the members of the commission all serve in an ex officio capacity, and payment of any mileage, per diem, or subsistence is the responsibility of the department or organization the member represents. Charged with forming and maintaining a Strategic State Plan for Litter, the commission is to be staffed by the Department of Natural Resources and must meet at least twice a year.

*STATUS: Having passed the General Assembly, **H.3035** was ratified on April 1, 2015, (R.18) and was signed into law by the Governor on April 2 (Act No. 8).*

## **WILDLIFE TAGGING, VALIDATION, AND METHODS OF CHECKING HARVESTED GAME**

The General Assembly approved **H.3762**, a joint resolution directing the Department of Natural Resources to conduct a review of wildlife tagging, validation, and methods of checking harvested game utilized in other states and to report its findings and recommendations to the Chairman of the Senate Fish, Game, and Forestry Committee, and the Chairman of the House of Representatives Agriculture and Natural Resources Committee by January 5, 2016.

*STATUS: Having passed the General Assembly, **H.3762** was ratified on May 7, 2015, (R.39) and was signed into law by the Governor on May 7 (Act No. 20).*

## **"TRESPASSER RESPONSIBILITY ACT"**

The General Assembly approved **H.3266**, the "Trespasser Responsibility Act". This legislation codifies common law provisions relating to trespassers under which a possessor of land owes no duty to a trespasser except to refrain from causing a wilful or wanton injury. These limitations on a landowner's legal liability include certain exceptions and conditions that relate only to trespassers who are children or individuals with an intellectual disability. The legislation does not affect any immunities from or defenses to civil liability established by another section of the South Carolina Code of Laws or available at common law to which a possessor of land may be entitled.

*STATUS: Having passed the General Assembly, **H.3266** was ratified on June 4, 2015, (R.111) and was signed into law by the Governor on June 8 (Act No. 65).*

## **"YOUTH TURKEY HUNTING WEEKEND"**

The General Assembly approved **H.3118**, legislation that provides for a "Youth Turkey Hunting Weekend" in March of each year. The legislation includes certain temporary

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waivers that apply to a youth hunter under the age of eighteen who is accompanied in the field by a licensed hunter who is at least twenty-one years old.

*STATUS: Having passed the General Assembly, **H.3118** was ratified on May 7, 2015, (R.28) and was signed into law by the Governor on May 7 (Act No. 41).*

## **NONPROFIT ORGANIZATIONS**

### **AMERICAN RED CROSS SPECIAL LICENSE PLATES**

The General Assembly approved **H.3264**, a bill providing authority for the Department of Motor Vehicles to issue American Red Cross Special License Plates imprinted with the distinctive Red Cross emblem along with 'Proud Supporter of the American Red Cross' written at the top of the plates. After special license fees are used to defray administrative costs, remaining funds must be disbursed to the American Red Cross.

*STATUS: Having passed the General Assembly, H.3264 was ratified on June 2, 2015, (R.86) and was signed into law by the Governor on June 3 (Act No. 55).*

### **SALES TAX EXEMPTIONS FOR CONSTRUCTION MATERIALS USED IN HOMES FOR THE NEEDY AND FOR CLOTHING DONATED TO NEEDY CHILDREN**

The General Assembly approved, as part of **H.3568**, a sales tax exemption for construction materials used by a nonprofit organization to build, rehabilitate, or repair a home for the benefit of an individual or family in need whose income is less than or equal to eighty percent of the county median income. The legislation establishes a sales tax exemption for children's clothing sold to a private charitable organization for the sole purpose of distribution, at no cost, to needy children who are eligible for free meals

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under the National School Lunch Program of the United States Department of Agriculture.

*STATUS: Having passed the General Assembly, H.3568 was ratified on June 4, 2015, (R.112) and was signed into law by the Governor on June 9 (Act No. 69).*

## **STATE AND LOCAL GOVERNMENT**

### **ENHANCING PUBLIC NOTICE REQUIREMENTS FOR GOVERNMENT MEETINGS**

The General Assembly approved **S.11**, a bill enhancing public notice requirements for government meetings under the state's Freedom of Information Act. The legislation clarifies that an agenda is required for all meetings of a public body and provides that this agenda must be publicly accessible and posted online if the public body maintains a website. This requirement for posting agendas does not, however, apply to emergency meetings. Once an agenda for a regular, called, special, or rescheduled meeting is posted, no items may be added to the agenda without providing an additional twenty-four hours' notice to the public. After the meeting begins, an item upon which action can be taken only may be added to the agenda by a two-thirds vote of the members present and voting. If, however, the item is one upon which final action can be taken at the meeting or if the item is one in which there has not been and will not be an opportunity for public comment with proper prior public notice given, it only may be added to the agenda by a two-thirds vote of the members present and voting and upon a finding by the body that an emergency or an exigent circumstance exists if the item is not added to the agenda.

*STATUS: Having passed the General Assembly, S.11 was ratified on June 4, 2015, (R.99) and was signed into law by the Governor on June 8 (Act No. 70).*

### **EXTENDING THE TIME LIMIT FOR CHANGING SOUTH CAROLINA RETIREMENT SYSTEM BENEFICIARIES**

The General Assembly approved **S.373**, a bill extending the time limit for changing South Carolina Retirement System beneficiaries. The legislation revises South Carolina Retirement System provisions relating to the optional forms of retirement allowances, so



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to allow a member to change the form of monthly payment within five years of a change in marital status, instead of one year.

*STATUS: Having passed the General Assembly, S.373 was ratified on May 28, 2015, (R.50) and was signed into law by the Governor on June 1 (Act No. 27).*

### **“FORFEITED LANDS EMERGENCY DEVELOPMENT ACT”**

The General Assembly approved **S.78**, the “Forfeited Lands Emergency Development Act”. The legislation provides authority for a county council to petition the South Carolina Department of Revenue for the county’s forfeited land commission to make use of emergency procedures when certain forfeited lands have a significant adverse effect on county ad valorem tax collections that severely affect continued essential public services in the county or a significant adverse effect on economic development and employment in the county resulting from the limited number of properties available for sale and improvement.

*STATUS: Having passed the General Assembly, S.78 was ratified on June 3, 2015, (R.90) and was signed into law by the Governor on June 4 (Act No. 59).*

### **LOCAL GOVERNMENT GOLF CART PATHS**

The General Assembly approved **S.211**, legislation that establishes authority for political subdivisions to create separate golf cart paths on streets and roads within their jurisdiction.

*STATUS: Having passed the General Assembly, S.211 was ratified on June 4, 2015, (R.104) and was signed into law by the Governor on June 8 (Act No. 86).*

### **LOCAL GOVERNMENT SURPLUS PUBLIC FUNDS DEPOSITS**

The General Assembly approved **S.375**, a bill relating to local government surplus public funds deposits. The legislation revises provisions relating to securing deposits of funds by counties, municipalities, school districts, and other political subdivisions, by establishing new conditions that allow a local governing body to work with one qualified public depository, rather than multiple banks or savings and loan associations, in maintaining the deposits of its surplus public funds.

*STATUS: Having passed the General Assembly, S.375 was ratified on May 28, 2015, (R.51) and was signed into law by the Governor on June 1 (Act No. 28).*

### **PROHIBITING STATE AND LOCAL GOVERNMENT CONTRACTING WITH BUSINESSES THAT IMPOSE DISCRIMINATORY BOYCOTTS AGAINST SOUTH CAROLINA’S TRADING PARTNERS**

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The General Assembly approved **H.3583**, a bill prohibiting state and local government contracting with businesses that impose discriminatory boycotts against South Carolina's trading partners, including Israel. The legislation establishes conditions that prohibit the state government, local governments, school districts, or any other political subdivisions or public bodies from entering into contracts for goods or services with businesses that unfairly discriminate against South Carolina's free trading partners through boycotts. The legislation establishes requirements that, in order to enter into a government contract with a value of at least ten thousand dollars, a business must certify that it does not, and will not, engage in boycotts against South Carolina's trading partners that are based upon race, color, religion, gender, or national origin. Boycotts specifically do not include such matters as decisions based upon business or economic reasons, or the specific conduct of a targeted person or firm.

*STATUS: Having passed the General Assembly, H.3583 was ratified on June 3, 2015, (R.96) and was signed into law by the Governor on June 4 (Act No. 63).*

## **UNCLAIMED UNITED STATES SAVINGS BONDS**

The General Assembly approved **H.3852**, a bill establishing procedures for transferring ownership of unclaimed United States savings bonds to the state. The legislation provides that five years after a US savings bond reaches final maturity and no longer earns interest it is presumed to be abandoned and subjected to a protocol for unclaimed property. Bonds that remain unclaimed are ultimately transferred to the state.

*STATUS: Having passed the General Assembly, H.3852 was ratified on June 8, 2015, (R.120) and was signed into law by the Governor on June 11 (Act No. 81).*

## **TAX RELIEF AND STATE FINANCES**

### **EXTENSION OF A PROPERTY TAX EXEMPTION TO THE VEHICLE OF A DISABLED VETERAN'S SURVIVING SPOUSE**

The General Assembly approved **S.153**, legislation that revises the motor vehicle property tax exemption allowed for a disabled veteran to provide that the tax exemption is allowed to the surviving spouse of the person on one private passenger vehicle owned or leased by the spouse for their lifetime or until the remarriage of the surviving spouse.

*STATUS: Having passed the General Assembly, S.153 was ratified on May 28, 2015, (R.44) and was signed into law by the Governor on June 1 (Act No. 23).*

### **REVISING TAX CREDITS FOR THE REHABILITATION OF ABANDONED BUILDINGS AND HISTORIC STRUCTURES**

The General Assembly approved **H.3725**, a bill revising tax credits for the rehabilitation of abandoned buildings and historic structures. The legislation includes criteria for a state-owned abandoned building that affords tax credit eligibility for rehabilitating a building of a certain size abandoned for more than five years that was most recently owned by the State, or an agency, instrumentality, or political subdivision of the State. The legislation revises tax credit provisions for rehabilitating certified historic structures to provide that a taxpayer may elect a twenty-five percent tax credit in lieu of the current ten percent tax credit, not to exceed one million dollars for each certified historic structure. A three-year, rather than a five-year, write-off period is established for the tax credits for rehabilitation expenses of abandoned buildings and historic structures.

*STATUS: Having passed the General Assembly, H.3725 was ratified on June 3, 2015, (R.97) and was signed into law by the Governor on June 9 (Act No. 68).*

### **SALES TAX EXEMPTIONS FOR CONSTRUCTION MATERIALS USED IN HOMES FOR THE NEEDY AND FOR CLOTHING DONATED TO NEEDY CHILDREN**

The General Assembly approved, as part of **H.3568**, a sales tax exemption for construction materials used by a nonprofit organization to build, rehabilitate, or repair a home for the benefit of an individual or family in need whose income is less than or equal to eighty percent of the county median income. The legislation establishes a sales tax exemption for children's clothing sold to a private charitable organization for the sole purpose of distribution, at no cost, to needy children who are eligible for free meals

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under the National School Lunch Program of the United States Department of Agriculture. The legislation also revises the sales tax exemption provided for aviation parts and supplies.

*STATUS: Having passed the General Assembly, H.3568 was ratified on June 4, 2015, (R.112) and was signed into law by the Governor on June 9 (Act No. 69).*

## **TAX PENALTY AMNESTY PERIODS**

The General Assembly approved **S.526**, a bill allowing for a tax penalty amnesty period in order to encourage the voluntary disclosure and payment of taxes owed to the state. The legislation establishes authority for the Department of Revenue to periodically designate and administer an amnesty period during which the department may waive delinquent tax penalties and interest and not initiate a criminal investigation when delinquent returns are voluntarily filed and payment is made on all taxes owed.

*STATUS: Having passed the General Assembly, S.526 was ratified on June 4, 2015, (R.108) and was signed into law by the Governor on June 8 (Act No. 85).*

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